

## REMARKS

Applicants respectfully request reconsideration of the instant application in the view of the foregoing amendments and the following remarks. Claims 1, 2, 4, 5, 8-10, 15 and 16 are *pending*. Claims 3, 6, 7, 11-14, 17 and 18 have previously been *cancelled* without prejudice or disclaimer. Claims 1, 15 and 16 are *independent*. Claims 1, 10, 15 and 16 have been *amended*; although these claims have been amended herein to provide clarification, correct typographical inaccuracies and/or informalities, and/or to better track practical/commercial implementations/practices, Applicant submits that the originally filed claims are patentable and reserves the right to pursue the originally filed claims (as well as any claims dependent therefrom) at a later time and/or in one or more continuation application(s). Applicant submits that these new claims and/or claim amendments are supported throughout the originally filed specification and that no new matter has been added by way of these amendments.

Applicants submit that the foregoing Amendments correct the informalities identified in the Notice of Non-Compliant Amendment dated April 13, 2009. Further, Applicants note the following Remarks have been copied from the January 21, 2009 Amendment/Response as follows:

Reconsideration and further examination are respectfully requested.

## CLAIM REJECTIONS - 35 U.S.C. § 112

Claims 1, 2, 4, 5, 8 - 10, 15, and 16 were rejected under 35 U.S.C. 112, first paragraph for allegedly containing subject matter that was not described in the Specification in a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time of the invention, had possession of the claimed invention. In particular, the Final Office Action (FOA) stated that Applicant's claimed, "wherein the security risk associated with the one or more of the first or second

elements is also specifically associated with the corresponding hierarchical level of the one or more of the first or second elements" is not supported by the Specification.

In reply thereto, claims 1, 15, and 16 are currently amended to overcome the rejection under 35 USC 112, first paragraph. For example, claim 1 now recites "receiving into the computer storage, on a real time basis, an indication of a security risk, wherein the indication of a security risk comprises at least one of: a potential for physical, reputational, economic or legal harm and is received from government agency or a news feed". Claims 15 and 16 are amended similar to claim 1. Applicant submits that support for the current amendments to claims 1, 15, and 16 is provided in the Specification at page 6, lines 14 - 25.

Applicant submits that all of the claimed subject matter is in compliance with 35 USC 112, first paragraph. Therefore, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 1, 2, 4, 5, 8 — 10, 15, and 16 under 35 USC 112, first paragraph.

### **CLAIM REJECTIONS - 35 U.S.C. § 103**

Claims 1, 2, 4, 5, 8 — 10, 15, and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Beverina et al. U.S. Publication No. 2001/0027388 in view of Zimmers et al. U.S. Publication No. 2005/0013417. This rejection is traversed.

Applicant notes that claim 1 is amended to relate to a computer implemented method for managing security risk. The claimed method includes setting, in a computer storage, a hierarchical relationship between multiple elements comprising an entity wherein a first element of a first hierarchical level comprises a physical facility and other of the multiple elements each have a hierarchical level subordinate to the first element and comprises one of a facility, a resource, and an asset located at the physical facility of the first element; receiving into the computer storage, on a real

time basis, an indication of a security risk, wherein the indication of a security risk comprises at least one of: a potential for physical, reputational, economic or legal harm and is received from government agency or a news feed; receiving into the computer storage an indication of a first selection of one of the first or the other multiple elements; associating the received indication of a security risk with the first selected element such that the hierarchical level of the first selected element is related to certain aspects of the received indication of security risk; and transmitting via a computer processor coupled to a communication network apparatus, a description of the security risk as it relates to the first selected element, wherein the relationship between the received indication of a security risk and the first selected element is based upon the hierarchical relationship of the first and the other of the multiple elements and the indication of the security risk associated with the corresponding hierarchical levels of the first and the second other elements. The claimed method further includes receiving into the computer storage an indication of a second selection of one of the first or the other of the multiple elements, wherein the second selection is different than the first selection; associating the received indication of a security risk to the second selected element such that the hierarchical level of the second selected element is related to certain aspects of the received indication of security risk; transmitting via the computer processor coupled to a communication network apparatus, a description of the security risk as it relates to the second selected element, wherein the relationship between the received indication of a security risk and the second selected element is based upon the hierarchical relationship of the first and the other of the multiple elements and the indication of the security risk, thereby providing a mechanism for a user to traverse between the first and the other of the multiple elements based on the hierarchical relationship between the multiple elements and be presented with the aspects of the security risk associated with the first and the other of the multiple elements and their hierarchical level.

Applicant respectfully submits that claims 15 and 16 are worded similar to claim 1.

Applicant further submits that the cited and relied upon combination of Beverina and Zimmers fails to disclose, suggest, or otherwise render claims 1, 15, and 16 obvious under 35 USC 103(a). Applicant notes that the subject claims relate to a hierarchical relationship between multiple elements comprising an entity, associating the received indication of a security risk with the first selected element such that the hierarchical level of the first selected element is related to certain aspects of the received indication of security risk; transmitting a description of the security risk as it relates to the first selected element, wherein the relationship between the received indication of a security risk and the first selected element is based upon the hierarchical relationship of the first and the other of the multiple elements and the indication of the security risk associated with the corresponding hierarchical levels of the first and the second other elements; associating the received indication of a security risk to the second selected element such that the hierarchical level of the second selected element is related to certain aspects of the received indication of security risk; and transmitting via the computer processor coupled to a communication network apparatus, a description of the security risk as it relates to the second selected element, wherein the relationship between the received indication of a security risk and the second selected element is based upon the hierarchical relationship of the first and the other of the multiple elements and the indication of the security risk, thereby providing a mechanism for a user to traverse between the first and the other of the multiple elements based on the hierarchical relationship between the multiple elements and be presented with the aspects of the security risk associated with the first and the other of the multiple elements and their hierarchical level.

Applicant respectfully submits that the cited and relied upon Beverina/Zimmers combination fails to disclose the claimed hierarchical relationship between a first element and other of the multiple elements, including the association of the selected first and other multiple elements forming the basis of the hierarchical relationship between the first and multiple elements, as claimed. Instead, Beverina/Zimmers, and in particular Beverina, appears to relate to, at most, a first and a second

hierarchical level. For example, Beverina is cited and relied upon for disclosing a building and a floor within that building. Contrary to Beverina, Applicant's claims relate to multiple elements where each element is associated with its own hierarchical level and a security risk is further associated with the each element.

Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claim 1 under 35 USC 103(a). Claims 2 and 4, 5, and 8 — 10 depend from claim 1. Applicant respectfully submits that claims 2, and 4, 5, and 8 — 10 are patentable over Beverina and Zimmers for at least depending from an allowable base claim, and claims 15 and 16 are patentable for at least the same reasons as claim 1.

## CONCLUSION

Consequently, the reference(s) cited by the office action do not result in the claimed invention, there was/is no motivation, basis and/or rationale for such a combination of references (i.e., cited references do not teach, read on, suggest, or result in the claimed invention(s)), and the claimed inventions are not admitted to be prior art. Thus, the Applicants respectfully submit that the supporting remarks and claimed inventions, claims 1, 2, 4, 5, 8-10, 15 and 16, all: overcome all rejections and/or objections as noted in the office action, are patentable over and discriminated from the cited reference(s), and are in a condition for allowance. Furthermore, Applicants believe that the above remarks, which distinguish the claims over the cited reference(s), pertained only to noted claim element portions. These remarks are believed to be sufficient to overcome the prior art. While many other claim elements and/or bases for rejection were not discussed as they have been rendered moot based on the above amendments and/or remarks, Applicants assert that all such remaining and not discussed claim elements and/or bases for rejection, all, also are distinguished over the prior art and reserves the opportunity to more particularly traverse, remark and distinguish over any such remaining claim elements and/or bases for rejection at a later time should it become necessary. Further, any remarks that were made in response to an Office Action objection and/or rejection as to any one claim element, and which may have been re-asserted as applying to another Office Action objection and/or rejection as to any other claim element(s), any such re-assertion of remarks is not meant to imply that there is commonality about the structure, functionality, means, operation, and/or scope of any of the claim elements, and no such commonality is admitted as a consequence of any such re-assertion of remarks. As such, Applicants do not concede that any claim elements have been anticipated and/or rendered obvious by any of the cited reference(s). Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection(s) and/or objection(s), and allowance of all claims.

**AUTHORIZATION**

The Commissioner is hereby authorized and requested to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 03-1240, Order No. 17209.355. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized and requested to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 17209.355.

In the event that a telephone conference would facilitate examination of the application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,  
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